(9)

cf 100

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

W.P. No. 939/2003.

PETITIONER : Bhuneshwar Singh s/o Late Jamadar Singh, aged about 42 years, Proprietor, Shri Ram Gas Agency, Haldibadi, Chirmiri.

P. R. No. 13/3/03
Presented by Shri Sunil Sinha
dated 13.03.03

V E R S U S

RESPONDENT : Collector, Koria (Food), Baikunthpur, Distt. Koria.

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

46

आदेश पत्रक

मामला क्रमांक WP 939/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	26.03.2004 **Shri Sunil Sinha, counsel for the petitioner.** **Shri Anand Kumar Tiwari, Panel Lawyer for the State.** **Heard.** **The petitioner has preferred this writ petition under Article 226 & 227 of the Constitution of India being aggrieved by the inaction on the part of the respondent-Collector, Koria (Food), Baikunthpur, District Koria in not deciding the petitioner's case bearing No.2/B-121/Khadya/2002-2003 pending before him since last two years.** **The petitioner's case is that he is proprietor of Shri Ram Gas Agency, Haldibadi, Chirmiri, District Koria. On 27.02.2002 one truck of the petitioner's gas agency, which was carrying 70 filled gas cylinders (LPG) was checked by the Assistant Food Officer, Baikunthpur and the said officer had seized those gas cylinders (LPG) and registered a case bearing No.2/B-121/Khadya/2002-2003 under Section 6-B of Essential Commodities Act 1955 and submitted the report in the Court of the respondent-Collector on 05.03.2002. The petitioner appeared before the respondent Collector and filed the reply of the same (Annexure P-4), but since then date after dates are being given by the respondent-Collector and the matter has not been decided. Even the application for handing over the gas cylinders (LPG) on Suprudnama is also pending since 24.05.2002, which is causing hardship.**	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(45)

आदेश पत्रक

मामला क्रमांक 939/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Return on behalf of the respondent has also been filed on 17.07.2003 in which it was mentioned that the matter will be decided within a period of one month. However, so far neither the application for handing over the gas cylinders on Suprudnama nor the main matter has been decided. Therefore, learned counsel for the petitioner submits that since the article gas cylinders (LPG) falls under the essential commodities the respondent-Collector may be directed to decide the case of the petitioner within a period of one month, to which learned State counsel has no objection.

Having heard the learned counsel for the parties, having regard to the facts and circumstances of the case and having regard to the fact that the matter is pending since last two years and even the application for handing over the articles gas cylinders on Suprudnama has not been decided, the request made by the petitioner appears to be just, fair and reasonable, therefore, the respondent-Collector (Food), Koria, is directed to decide the petitioner's case ~~lying~~ pending before him as early as possible but not later than within a period of two months.

With the aforesaid direction, the petition stands disposed of.

Consequently, M.W.P. No.813/2003 & 2458/2003 also stand disposed of.

Certified copy as per Rules.

Sd/-
L.C.BHADOO
Judge

Rashmi

[पीछे देखिये